

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee

1. Niblock Excavating, Inc.

2. 906 Maple Street
P. O. Box 211
Bristol, IN 46507In accordance with application dated
June 21, 1995,3. License Number 13-26181-01 is renewed
its entirety to read as follows:

4. Expiration Date September 30, 2001

5. Docket or
Reference No. 030-316866. Byproduct, Source, and/or
Special Nuclear Material7. Chemical and/or Physical
Form8. Maximum Amount that Licensee
May Possess at Any One Time
Under This License

A. Cesium-137

A. Sealed source
(Troxler Dwg.
No. A-102112)A. Two sources not to
exceed 10
millicuries each

B. Americium-241

B. Sealed source
(Troxler Dwg.
No. A-102451)B. Two sources not to
exceed 50
millicuries each

C. Americium-241

C. Sealed source
(Troxler Dwg.
No. A-100337 or
A-100608)C. Two sources not to
exceed 300
millicuries each

9. Authorized Use:

A. and B. To be used in Troxler Model 3400 Series surface moisture/density gauges.

C. To be used in Troxler Model 3241C Series asphalt content gauges.

CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at 906 Maple Street, Bristol, Indiana, and at temporary job sites of the licensee located in Indiana and Michigan.

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9611060175 961029
PDR ADOCK 03031686
C PDR

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2 34
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MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

13-26181-01

Docket or Reference Number

030-31686

Amendment No. 02

11. Licensed material shall be used by, or under the supervision and in the physical presence of, individuals who have successfully completed the device manufacturer's training program for gauge users and have been designated by the licensee's Radiation Protection Officer. The licensee shall maintain records of the individuals who have been designated as authorized users.
12. The Radiation Protection Officer for the activities authorized by this license is Kevin Crouch.
13. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
- B. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
- C. Sealed sources need not be leak tested if:
- (i) they contain only hydrogen-3; or
 - (ii) they contain only a radioactive gas; or
 - (iii) the half-life of the isotope is 30 days or less; or
 - (iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or
 - (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- D. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(b)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region III, ATTN: Chief, Nuclear Materials Safety Branch, 801 Warrenville Road, Lisle, Illinois 60532-4351. The report shall specify the source involved, the test results, and corrective action taken.

COPY

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

13-26181-01

Docket or Reference Number

030-31686

Amendment No. 02

- E. The licensee is authorized to collect leak test samples for analysis by Troxler or tests for leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
13. Sealed sources containing licensed material shall not be opened or removed from the gauges by the licensee.
14. When performing tests at temporary job sites, the authorized user shall not leave the moisture/density gauge unattended. Upon completion of tests the device shall be locked in the licensee's vehicle or a secure building to prevent unauthorized use, loss or theft.
15. The licensee shall conduct a physical inventory every six (6) months to account for all sealed sources received and possessed under the license. The records of the inventories shall be maintained for two (2) years from the date of the inventory for inspection by the Commission, and shall include the quantities and kinds of byproduct material, manufacturer's name and model numbers, location of sealed sources and the date of the inventory.
16. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
17. Any cleaning, maintenance or repair of the gauge(s) that requires removal of the source rod shall be performed only by the manufacturer or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
18. The licensee shall maintain records of information important to safe and effective decommissioning at the location listed in Item 2. of this license per the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.
19. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents including any enclosures, listed below. The Nuclear Regulatory Commission's regulations shall govern unless the statements, representations and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Application dated June 21, 1995; and
- B. Letters dated July 22, 1996, August 29, 1996 and October 15, 1996.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date 29 October 1996

By

William P. Reschke
Nuclear Materials Licensing Branch, Region III

COPY

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM
AND
REGIONAL LICENSING SECTIONS

(FOR LFMS USE)
INFORMATION FROM LFS

PROGRAM CODE: 03121

STATUS CODE: 2

FEE CATEGORY: 3P

EXP. DATE: 19950630

FEE COMMENTS:

DECOM FIN ASSUR-REDD

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

APPLICANT/LICENSEE: NIBLOCK EXCAVATING INCORPORATED

RECEIVED DATE: 950627

DOCKET NO: 3031686

CONTROL NO.: 398770

LICENSE NO.: 13-26181-01

ACTION TYPE: RENEWAL

2. FEE ATTACHED

AMOUNT:

CHECK NO.: 680
054585

3. COMMENTS

SIGNED
DATE

D. Hersey
6-30-95

B. LICENSE FEE MANAGEMENT BRANCH (CHECK WHEN MILESTONE 03 IS ENTERED) ✓

1. FEE CATEGORY AND AMOUNT:

3P

#680⁰⁰

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:

AMENDMENT

RENEWAL ✓

LICENSE

3. OTHER

SIGNED
DATE

SC 7/6/95

Log	<i>Jul 3 III</i>
Remitter	
Check No.	<i>54585</i>
Amount	<i>#680⁰⁰</i>
Fee Category	<i>3P</i>
Type of Fee	<i>Renewal</i>
Date Check Rec'd	<i>7/5/95</i>
Date Completed	<i>7/6/95</i>
By:	<i>SC</i>

1025 JUL -5 PM 3:20

(10-94)
10 CFR 30, 32, 33
34, 35, 36, 39 and 40

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 9 HOURS. SUBMITTAL OF THE APPLICATION IS NECESSARY TO DETERMINE THAT THE APPLICANT IS QUALIFIED AND THAT ADEQUATE PROCEDURES EXIST TO PROTECT THE PUBLIC HEALTH AND SAFETY. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH (T-6 F33), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555-0001, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0120), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

APPLICATION FOR MATERIAL LICENSE

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND,
MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA,
RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:

LICENSING ASSISTANT SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO
RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,
SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION II
101 MARIETTA STREET, NW, SUITE 2900
ATLANTA, GA 30323-0199

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN,
SEND APPLICATIONS TO:

MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
801 WARRENVILLE RD
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS,
LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA,
OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH,
WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-8064

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

- ☐ A. NEW LICENSE
☐ B. AMENDMENT TO LICENSE NUMBER _____
☒ C. RENEWAL OF LICENSE NUMBER 13-26181-01

2. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip code)

Niblock Excavating, Inc.
PO Box 211
Bristol, Indiana 46507

3. ADDRESS(ES) WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

Licensee's facilities located at 906 Maple Street, Bristol, Indiana,
and at temporary jobsite located in Indiana and Michigan

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Gary Niblock, President

TELEPHONE NUMBER
219-848-4437

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL

- a. Element and mass number, b. chemical and/or physical form, and c. maximum amount
which will be possessed at any one time.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS

9. FACILITIES AND EQUIPMENT

10. RADIATION SAFETY PROGRAM

11. WASTE MANAGEMENT

12. LICENSEE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY 3P

AMOUNT
ENCLOSED \$ 680.00

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39 AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 82 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE

Gary Niblock, President

SIGNATURE

Gary Niblock

DATE

June 21, 1995

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
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\$

APPROVED BY

DATE

RECEIVED

398770

JUN 27 1995

PM: 6-24-95

REGION III



NIBLOCK EXCAVATING, INC.

P.O. BOX 211
BRISTOL, INDIANA 46507
(219) 848-4437
FAX (219) 848-4575

page 1 of 2

ITEM NO. 5 Radioactive material

a. Element & Mass Number	b. Chemical &/or physcial Form	C. Max. amount
Cs-137	Troxler A-102112	9 mCi
Am-241:Be	Troxler A-102451	44 mCi
Am-241:Be	Troxler A-100337	330 mCi

ITEM NO. 6 Purpose(s) for which licensed material will be used:

- a. For use in Troxler Model 3400 series gauges to measure the moisture/density of soil; aggregates and ocnstruction materials.
- b. For use in Troxler Model 3400 series gauges measuring hydrogen with relation to moisture context of construction/building materials.
- f. For the use in Troxler 3241 series gauges for the measurement of hydrogen with relation to oil context in asphaltic construction materials.

ITEM NO. 7 Radiation Safety Officer

Richard Niblock has been designated as the company's Radiation Safety officer. A copy of his Troxler Nuclear Gauge Traning Certificate is attached for your review. The duties of the Radiation Safety Officer are specified in item 10.

ITEM NO. 8 Training for individuals working in or frequenting restricted areas.

Each individual that will operate the nuclear gauge will complete the Troxler nuclear gauge training course, read and understand our radiation safety procedures; and be approved by our Radiation Safety Officer. Copies of each individual's training certificates will be maintained on file.

ITEM NO. 9 Facilities and Equipment

I have attached a sketch of the area where gauges will be stored when not in use.

Equipment:

See section 10.2 of the Policy & Guidance Directive PG 2-07
We have access to various Fire Departments, Hospitals, colleges, universities, and local radiation consultants, depending on what job site and area the device is being utilized. Personal Monitoring devices are: Troxler Radiation Monitoring Services
Division of Troxler Electronic Labs, Inc.
PO Box 12057
Research Triangle Park, NC 27709
Type Thermoluminescent Dosimeter (TLD)
Beta, Gamma, X-Ray, and Neutron measurement
Exchange Frequency: Quarterly

ITEM NO. 10 Radiation Safety Program

See attached Radiation Safety Program



NIBLOCK EXCAVATING, INC.

P.O. BOX 211
BRISTOL, INDIANA 46507
(219) 848-4437
FAX (219) 848-4575

page 2 of 2

ITEM NO. 11 Waste Management

Disposition of the gauge will be by transfer to either another licensee specifically licensed to possess the radioactive material or to a licensed disposal facility. The manufacturer will assist in locating a properly licensed disposal facility.

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

RICHARD R. NIBLOCK

of

NIBLOCK EXCAVATING

HAS SUCCESSFULLY COMPLETED THE TROXLER ELECTRONIC LABORATORIES, INC.
TRAINING COURSE FOR THE USE OF NUCLEAR TESTING EQUIPMENT.

SUBJECTS INCLUDED IN THIS COURSE WERE AS FOLLOWS:

Radiological Safety

- | | |
|--|---|
| 1. Principles and practices of radiation protection. | 5. Radioactivity measurement standardization and monitoring techniques and instruments. |
| 2. Leak testing procedures. | 6. Accident and incident procedures. |
| 3. Mathematics and calculations basic to the use and measurement of radioactivity. | 7. Procedures for nuclear gauge storage and transportation. |
| 4. Biological effects of radiation. | 8. General safety precautions. |

Gauge Operation

- | | |
|-------------------------|----------------------|
| 1. Instrument theory | 4. Field application |
| 2. Operating procedures | 5. Gauge calibration |
| 3. Maintenance | |

JAMES L. WANDELL
INSTRUCTOR

MARCH 29, 1990
DATE

No 29993

W.F. TROXLER
PRESIDENT

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

GARY GARRETT
of

NIBLOCK EXCAVATING INC.

HAS SUCCESSFULLY COMPLETED THE TROXLER ELECTRONIC LABORATORIES, INC.
TRAINING COURSE FOR THE USE OF NUCLEAR TESTING EQUIPMENT.

SUBJECTS INCLUDED IN THIS COURSE WERE AS FOLLOWS:

Radiological Safety

1. Principles and practices of radiation protection
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. Radioactivity measurement standardization and monitoring techniques and
6. [REDACTED]
7. [REDACTED]
8. [REDACTED]
9. [REDACTED]
10. [REDACTED]
11. [REDACTED]
12. [REDACTED]
13. [REDACTED]
14. [REDACTED]
15. [REDACTED]
16. [REDACTED]
17. [REDACTED]
18. [REDACTED]
19. [REDACTED]
20. [REDACTED]
21. [REDACTED]
22. [REDACTED]
23. [REDACTED]
24. [REDACTED]
25. [REDACTED]
26. [REDACTED]
27. [REDACTED]
28. [REDACTED]
29. [REDACTED]
30. [REDACTED]
31. [REDACTED]
32. [REDACTED]
33. [REDACTED]
34. [REDACTED]
35. [REDACTED]
36. [REDACTED]
37. [REDACTED]
38. [REDACTED]
39. [REDACTED]
40. [REDACTED]
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42. [REDACTED]
43. [REDACTED]
44. [REDACTED]
45. [REDACTED]
46. [REDACTED]
47. [REDACTED]
48. [REDACTED]
49. [REDACTED]
50. [REDACTED]
51. [REDACTED]
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53. [REDACTED]
54. [REDACTED]
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56. [REDACTED]
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62. [REDACTED]
63. [REDACTED]
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65. [REDACTED]
66. [REDACTED]
67. [REDACTED]
68. [REDACTED]
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79. [REDACTED]
80. [REDACTED]
81. [REDACTED]
82. [REDACTED]
83. [REDACTED]
84. [REDACTED]
85. [REDACTED]
86. [REDACTED]
87. [REDACTED]
88. [REDACTED]
89. [REDACTED]
90. [REDACTED]
91. [REDACTED]
92. [REDACTED]
93. [REDACTED]
94. [REDACTED]
95. [REDACTED]
96. [REDACTED]
97. [REDACTED]
98. [REDACTED]
99. [REDACTED]
100. [REDACTED]

1. [REDACTED]
2. Operating procedures
3. Maintenance

5. Gauge calibration

CERTIFICATE #: 58312

Tom Donnelly
TOM DONNELLY
INSTRUCTOR

04/30/93
DATE

WILLIAM F. TROXLER
PRESIDENT



NIBLOCK EXCAVATING, INC.

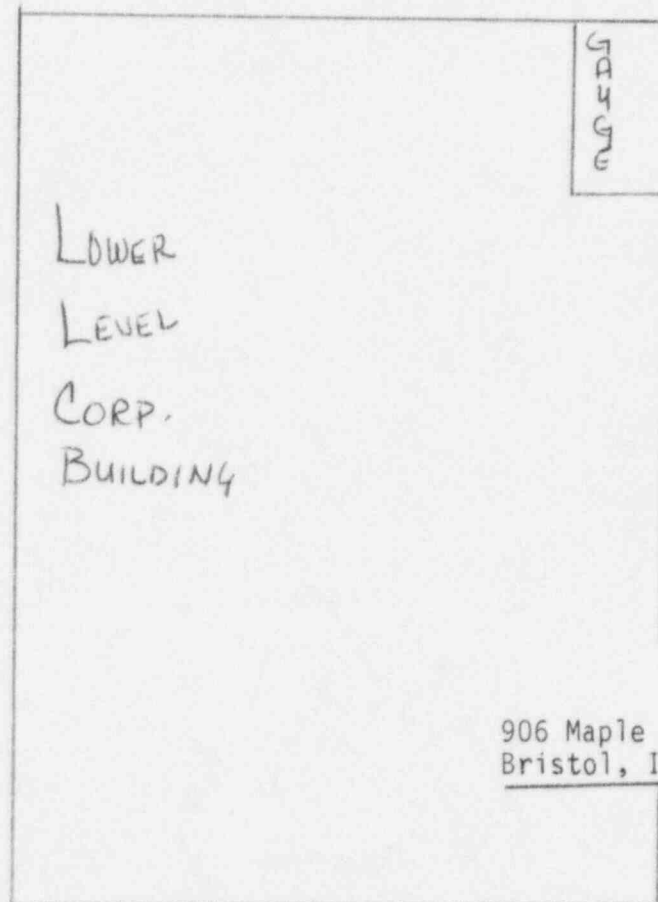
P.O. BOX 211
BRISTOL, INDIANA 46507
(219) 848-4437
FAX (219) 848-4575

Item No. 9 Facilities
location of Gauge

N

W

E



S



NIBLOCK EXCAVATING, INC.

P.O. BOX 211
BRISTOL, INDIANA 46507
(219) 848-4437
FAX (219) 848-4575

RADIATION SAFETY PROGRAM

1. RADIATION SAFETY OFFICE

Richard Niblock has been designated as the company's Radiation Safety Office and will assume the duties and responsibilities that include the following:

1. To ensure that all terms and conditions of the license are being met and that the information contained in the license is up-to-date.
2. To ensure that the equipment has been leak tested in the required timely manner and that the leak test is performed in the manner prescribed by the equipment manufacturer.
3. To ensure that the use of the equipment is only by individuals that have been authorized by the Radiation Safety Officer and that all users wear personnel monitoring equipment when utilizing the equipment. Personnel monitoring equipment will consist of TLD's supplied by Troxier Radiation Monitoring Services on a quarterly exchange period.
4. To maintain the records as required by the license and the regulations. These records shall include personnel exposure records, leak test records and training certificates for all users.
5. To ensure that the equipment is properly secured against unauthorized removal at all times when it is not in use.
6. To serve as a point of contact and give assistance in case of emergency such as equipment damaged in the field or theft and to notify the proper authorities in case of emergency.
7. To ensure that all users have read and understand the radiation safety operating an emergency procedures.

2. OPERATING PROCEDURES

Transportation of Equipment

1. All possible means shall be provided to ensure that the equipment secured in the transporting vehicle and the equipment is away from passenger compartment. When transporting in an enclosed vehicle (van), the vehicle will be locked. When transporting in an open vehicle, the gauge should be securely fastened and locked to the truck bed.

2. The gauge will be transported in the Troxler transportation case. Department of Transportation required that the gauge be transported properly labeled carrying case.
3. At all times during transport, the operator will have a properly completed Bill of Lading for each gauge.

Utilization Procedures

1. When the gauge is in the field, you as the authorized user must maintain control over the gauge at all times. The gauge must never be left unattended.
2. When not making measurements, the gauge should be placed in the transportation case and returned to its permanent storage area as soon as possible. The gauge is to be used for its intended purpose only. By doing so, you will maintain any radiation exposure to as low as reasonably achievable (ALARA).
3. When using the equipment, you will wear the personnel monitoring device that has been assigned to you. When you are not using the equipment, your monitoring device is to be stored in the radiation free area that has been designated in the office.

Maintenance and Leak Test Procedures

1. Periodic maintenance will include cleaning the gauge. During any maintenance, you must wear your personnel monitoring device. Accepted cleaning and lubrication procedures developed by the manufacturer will be followed.
2. No maintenance will be performed in which the radioactive source is removed from the gauge. For this type of maintenance, the gauge will be returned to the manufacturer.
3. The leak test will be performed using the Troxler Model 3880 Leak Test Kit. The leak test will be performed using the manufacturer's instructions. Again, the personnel monitoring device will be employed. Gauges will be leak tested at intervals not to exceed six (6) months.

Record keeping in Regards to Facility Decommissioning

Records of information important to the safe and effective decommissioning of the facility will be maintained in an identified location, until the license is terminated by the Commission. The file shall be entitled "Facility Decommissioning File". The records will include the following:

1. Records of any leakage involving the spread of contamination, where the contamination remains after cleanup procedures have been exhausted and/or if the contamination inaccessible.
2. Drawings or sketches of areas in facility where radioactive materials are used and/or stored. These drawings will indicate locations of any non-removable contamination.
3. Records of the cost estimate for the decommissioning of the facility.

3. EMERGENCY PROCEDURES

In the event of physical damage to a gauge, the following will be performed:

1. Immediately cordon off an area around the gauge. An area radius of 15 feet will be sufficient.
2. If a vehicle is involved, it must be stopped until the extent of contamination, if any, can be established.
3. A visual inspection of the gauge is to be made to determine if the source housing and/or shielding has been damaged.
4. At the earliest possible time, when the situation is under control, you must contact Richard Niblock at 219-848-4437. Describe the present conditions and follow the instructions of the Radiation Safety Office.

In the event the gauge is lost or stolen, immediately notify the Radiation Safety Officer as listed above in Item 3.4

OCT 29 1996

Kevin K. Crouch
Radiation Safety Officer
Niblock Excavating, Inc.
P.O. Box 211
Bristol, IN 46507

Dear Mr. Crouch:

Enclosed is Amendment No. 02 renewing your NRC Material License No. 13-26181-01 in accordance with your request.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office so that we can provide appropriate corrections and answers.

Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC, in writing, within 30 days:
 - a. When Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
 - b. When the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license; or
 - b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;

398770

- b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
 - c. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
 - d. Change ownership of your organization.
5. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

Your will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Policy and Procedures for NRC Enforcement Actions, 10 CFR Part 2, Appendix C. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Sincerely,
Original Signed By
Patricia M. Vacherlon
Nuclear Materials Licensing Branch

License No.: 13-28161-01
Docket No.: 030-31686

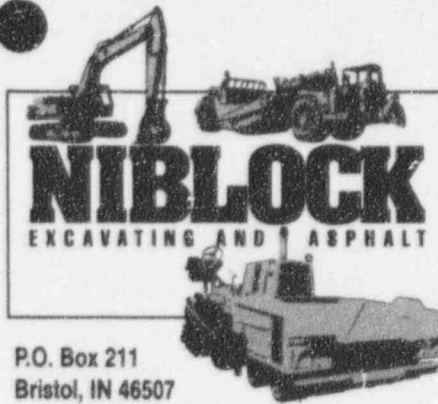
Enclosures: 1. Amendment No. 03
2. NRC Forms 3 and 313

DOCUMENT NAME: M:\03031686.CL6

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OFFICE	DRSS/RIII							
NAME	PVacherlon:jaw							
DATE	09/1/96 <i>[Signature]</i>							

OFFICIAL RECORD COPY



P.O. Box 211
Bristol, IN 46507
(219) 848-4437
Fax (219) 848-4575

October 15, 1996

United States Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4351

Attn: Bill Reichhold

Re: Mail Control #398770

Dear Mr. Reichhold,

I have changed the entire operating procedures section in our Radiation Safety Program. This will be an additional amendment to our License Agreement. I have tailored our operating procedures from your appendix H example.

Truly Yours,

NIBLOCK EXCAVATING, INC.

A handwritten signature in dark ink, appearing to read "K. Crouch", is written over the printed name.

Kevin K. Crouch
Radiation Safety Officer

RECEIVED
OCT 23 1996
REGION III

OCT 23 1996



P.O. Box 211
Bristol, IN 46507
(219) 848-4437
Fax (219) 848-4575

1. RADIATION SAFETY OFFICER

Kevin Crouch has been designated as Niblock's Radiation Safety Officer and will assume the duties and responsibilities that include the following:

1. To ensure that all terms and conditions of the license are being met and that the information contained in the license is up-to-date.
2. To ensure the equipment has been leak tested in the required timely manner and that the leak test is performed in the manner prescribed by the equipment manufacturer.
3. To ensure that the use of the equipment is only by individuals that have been authorized by the Radiation Safety Officer and that all users wear personnel monitoring equipment when utilizing equipment. Personnel monitoring equipment will consist of TLD's supplied by Troxler Radiation Monitoring Services on a quarterly exchange period.
4. To maintain the records as required by the license and the regulations. These records shall include personnel exposure records, leak test records and training certificates for all users.
5. To ensure that equipment is properly secured against unauthorized removal at all times when it is not in use.
6. To serve as a point of contact and give assistance in the case of an emergency, such as equipment damaged in the field or theft and to notify the proper authorities in case of an emergency.
7. To ensure that all users have read and understand the radiation safety emergency procedures.

2. OPERATING PROCEDURES

1. Before removing the gauge from its place of storage, check to make sure that the gauge source rod is in the shielded, locked position, then lock the transport case.
2. Sign the gauge out in the log book including the date(s) of use, name(s) of the authorized users who will be responsible for the gauge. and the temporary jobsite(s) where the gauge will be used.
3. Never leave the gauge unattended while in your custody.
4. Make sure the correct shipping papers are included with the gauge.

5. Do not touch the source rod with your fingers, hands, or any part of your body and always make sure the source rod is in the shielded position after each measurement is made.
6. Always wear your assigned thermoluminescent dosimeter (TLD) or film badge when using the gauge.
7. Never wear another person's TLD or film badge.
8. Never store your TLD or film badge near the gauge.
9. Always keep unauthorized persons away from the area where the gauge is to be used.
10. Always maintain constant surveillance and immediate control of the gauge when it is not in storage.
11. To assist operators of heavy equipment in seeing gauges at construction sites, always place the gauge behind, or in front of your vehicle, with the flashing light on.
12. Never look under the gauge when the source rod is being lowered into the ground.
13. After each measurement, always return the source to the shielded position and lock it there.
14. When the gauge is not in use at the temporary jobsite, place the gauge in a secured storage location (e.g., locked in the trunk of a car or locked in a storage shed).
15. Return the gauge to its proper storage location at the end of the work shift.
16. When the gauge is returned to storage, so indicate in the source log.

3. EMERGENCY PROCEDURES

In the event of physical damage to a gauge, the following will be performed:

1. Immediately cordon off an area around the gauge. A radius of 15 feet.
2. If a vehicle is involved, it must be stopped until the extent of the contamination, if any, can be established.
3. A visual inspection of the gauge is to be made to determine if the source housing and/or shielding has been damaged.
4. At the earliest possible time, when the situation is under control, you must contact Kevin Crouch at 219-848-4437. Describe the present conditions and follow the instructions of the radiation safety officer.

In the event the gauge is lost or stolen, immediately notify the Radiation Safety Officer.



NIBLOCK EXCAVATING, INC.

P.O. BOX 211
BRISTOL, INDIANA 46507
(219) 848-4437
FAX (219) 848-4575

August 29, 1996

Patricia M. Vacherlon
License Reviewer
United States Nuclear Regulatory Commission
801 Warrenton Road
Lisle, IL 60532-4351

Control Number 398770

Dear Patricia:

This is in response to your letter dated July 30, 1996, concerning additional information needed to complete our renewal.

Response 1: The correct address is 906 Maple.

Response 2: We currently conduct annual refresher training to our gauge users and intend on continuing this annual training.

Response 3: I currently have an inventory sheet that I use to inspect the gauges semi-annually.

Response 4: I have reviewed Item 10.8 in the policy and guidance directive and plan to conduct an annual audit of our program.

Any questions or comments, feel free to contact me at (219) 848-4437.

Sincerely,

Kevin K. Crouch
Radiation Safety Officer
Niblock Excavating, Inc.

RECEIVED

SEP 03 1996

REGION III

pm: 8-30-96

SEP 03 1996

JUL 30 1996

Gary Niblock, President
Niblock Excavating, Inc.
P.O. Box 211
Bristol, IN 46507

Dear Mr. Niblock:

We have reviewed your June 21, 1995, request for renewal, and find that in order to complete our review, we will need additional information as follows:

1. CLARIFICATION OF ADDRESS

The address on your current license reads 806 Maple Avenue. The address on your application reads 906 Maple Avenue. State which address is correct.

2. TRAINING PROVIDED TO OTHER USERS

Provide a commitment that you will conduct annual refresher training for you employees and the training will cover the topics outlined in the enclosed guide.

3. INVENTORIES

Provide a commitment that you will conduct inventory at no less than 6 month intervals to account for all gauges in your possession. Refer to Item 10.4 of the enclosed guide.

4. ANNUAL AUDIT

Provide us with a commitment that you will conduct annual audits of your program. Refer to Item 10.8 of the enclosed guide.

We will continue our review of your application upon receipt of this information. Please reply in duplicate, within 30 days, and refer to Control Number 398770.

G. Niblock

-2-

If you have any questions or require clarification on any of the information stated above, you may contact us at (708) 829-9887.

Sincerely,

Original Signed By
Patricia M. Vacherlon
License Reviewer

License No. 13-26181-01
Docket No. 030-31686

Enclosure: Portable Gauge Guide DG-0008

DOCUMENT NAME: M:\03031686.DF6

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OFFICE	DNMS/RIII								
NAME	PVACHERLON:jaw								
DATE	07/20/96								

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July 3, 1995

Niblock Excavating Incorporated
ATTN: Richard R. Niblock
Radiation Safety Officer
806 Maple Street
P.O. Box 211
Bristol, IN 46507

SUBJECT: LICENSE RENEWAL APPLICATION

Dear Mr. Niblock:

This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

Any correspondence regarding the renewal application should reference the control number specified and your license number.

Sincerely,

Original Signed By
Marianne Meenan, Chief
Nuclear Materials Support Section

License No.: 13-26181-01
Control No.: 398770

DOCUMENT NAME: M:\03031686.DT5

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OFFICE	DRSS/RII								
NAME	MMEENAN: Jaw								
DATE	07/5/95								

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